

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA)

v.)

MARSHAWN LYTLE)

No. 3:05-00147

Judge Haynes

MOTION TO SET CHANGE OF PLEA HEARING

Marshawn Lytle, by and through counsel, hereby moves this Honorable Court to set a hearing on his petition to submit a change of plea. He asks that the hearing be set on or after February 11, 2013.¹ In support of this motion, undersigned counsel would show the Court the following:

1. This matter is set for trial on February 5, 2013.
2. The parties have reached an agreement which will resolve this matter without the need for a trial.
3. Mr. Lytle has asked undersigned counsel to contact the attorney who represents him in a related case in state court to determine the status of that case. His plea is not contingent on receiving the requested information; however, inasmuch as he has asked undersigned counsel to make an inquiry of his state defense attorney, undersigned counsel believes it to be necessary to do as Mr. Lytle has requested before he submits his change of plea petition.
4. Undersigned counsel will attempt to reach Mr. Lytle's state defense attorney, Laura Getz, on Monday, February 4, 2013. While it is unknown whether Ms. Getz will be available to discuss this matter on February 4, at the very least, undersigned counsel can meet with her after the status conference set in state court on February 8, 2013, at 9:00 a.m. and, thereafter, meet with Mr. Lytle

¹ If the hearing is set on February 15, 2013, undersigned counsel requests that it be scheduled in the late afternoon due to a conflict in her schedule.